



**DECLARATION AND POWER OF ATTORNEY**  
(Utility Patent Application)

As a ~~person~~ named inventor, I hereby declare:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below), of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Apparel including a Heat Exchanger

the specification of which was filed on August 8, 2003 as Application Ser. No. 10/637,719 and a copy of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| <u>Application No</u> | <u>Country</u> | <u>Filing Date</u> | <u>Priority Claimed<br/>under 35 USC 119</u> |
|-----------------------|----------------|--------------------|--|
| NONE                  |                |                    |  |

I hereby claim the benefit under Section 120 of Title 35 of the United States Code of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by Section 112 of Title 35 of the United States Code.

| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status</u><br><u>Patented Pending Abandoned</u> |
|-------------------------------|--------------------|--|
| 60/402,313                    | 08/09/2002         | Pending  |

Power of attorney:

As a named inventor, I hereby appoint: Michael B. Einschlag (Reg. No. 29,301)

as my attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office in connection therewith.

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Direct all telephone calls to: Michael B. Einschlag at (650) 949-2267.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

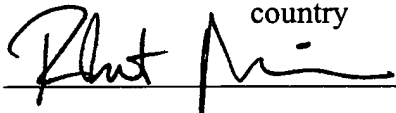
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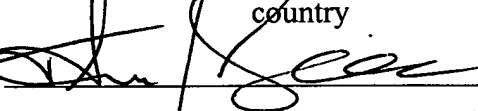
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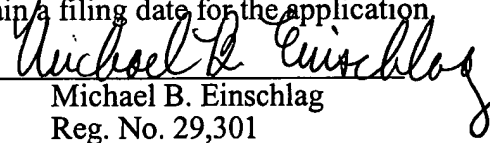
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The attached specification is a copy of the specification and any amendments thereto which were filed in the Office in order to obtain a filing date for the application.

  
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